UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/817,193	03/27/2001	Masahiko Tsuchiya	108097	9085

25944 7590 01/03/2003

OLIFF & BERRIDGE, PLC
P.O. BOX 19928
ALEXANDRIA, VA 22320

EXAMINER	
TRA, ANH QUAN	
ART UNIT	PAPER NUMBER
2816	

DATE MAILED: 01/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action	Application No.	Applicant(s)	
	09/817,193	TSUCHIYA, MASAHIKO	
	Examiner	Art Unit	
	Quan Tra	2816	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 09 December 2002 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.

b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.

2. ☒ The proposed amendment(s) will not be entered because:

   (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);

   (b) ☐ they raise the issue of new matter (see Note below);

   (c) ☒ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

   (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

   NOTE: _____.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.

4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

5. ☒ The a)☐ affidavit, b)☐ exhibit, or c)☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: *See Continuation Sheet*.

6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.

7. ☒ For purposes of Appeal, the proposed amendment(s) a)☒ will not be entered or b)☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

   The status of the claim(s) is (or will be) as follows:

   Claim(s) allowed: _____.

   Claim(s) objected to: _____.

   Claim(s) rejected: *1-9*.

   Claim(s) withdrawn from consideration: _____.

8. ☐ The proposed drawing correction filed on _____ is a)☐ approved or b)☐ disapproved by the Examiner.

9. ☐ Note the attached Information Disclosure Statement(s)(PTO-1449) Paper No(s). _____.

10. ☐ Other: _____

Terry D. Cunningham
Primary Examiner

Continuation of 5. does NOT place the application in condition for allowance because:

In response to Applicant's arguments in page 3, second paragraph, of the remarks, Andrews teaches in column 1, third paragraph that "The transistors in the differential pair also have widths ratios of 1:5". Therefore, the transistors in the differential pair having difference driving ability because they have difference widths.

In response to Applicant's arguments in page 4, second paragraph, figures 1 and 2 show the first differential circuit outputs the firs signal (Vout from 0 mS to 0.45 mS) in order to output the first output votlage lower than the common input voltage (VIN) through the third transistor (P4) of the primary conductive type, and the second differential circuit outputs the second signal (Vout from 0.5 mS. to 1 mS) in order to output a second output votlage higher than the common input votlage (VIN) through the third transistor (N4) of the secondary conductive type.

In response to Applicant's arguments in pages 5 and 6, Seller fails to teach at least one of the first differntial pair and the second differential differntial pair is formed from a pair of transistors having a driving ability difference therebetween. However, Shulman teaches in column 5, that the size of transistors in differntial pair can be differntent in order to have off-set for the amplifier. Therefore, it would have been obvious to one having ordinary skill in the art to employ Shulman's teaching to realize the transistors in Saller et al.'s differntial pair for the purpose of having off-set for the amplifier. Regtarding to Applicant's statement in page 5, fourth paragraph, the final office action does not indicate that Shulman's teaching would be inherent in Seller. The final office action states that "it would have been obvious to one having ordinary skill in the art to make the size of transistors in Saller et al. differntial pair to be different for the purppose o having off-set for the amplifier".